



## IN THE U.S. PATENT &amp; TRADEMARK OFFICE

Applicants: Hiroki KUMAGAI et al  
Serial No.: 09/980,197 Group: 1614  
Filed: November 30, 2001 Examiner: R. COOK.  
For: Agent for Modulating Growth or Generation of Hair

DECLARATION UNDER 37 C.F.R. § 1.132

Honorable Commissioner of Patents and Trademarks

Washington, D.C., 20231

Sir:

I, Hiroki Kumagai, a nation of Japan, residing at1-1, 20-33, tsunishi 1-chome, kamakura, kanagawa

do hereby declare as follows:

I am a co-applicant of the invention as described and claimed in the specification of the above-identified application.

I am familiar with the Final Office Action dated April 10, 2003, in which claims 17, 19-24 are rejected.

To show the patentability of the present invention, I carried out the experiments described below.

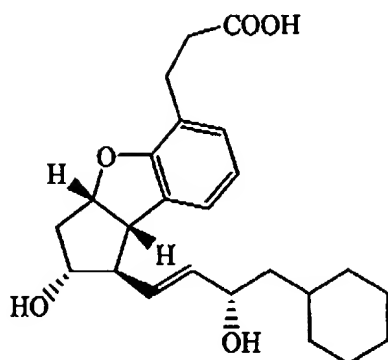
EXPERIMENTSObject

To test the actions of Compound 1 and Compound A on platelet aggregation.

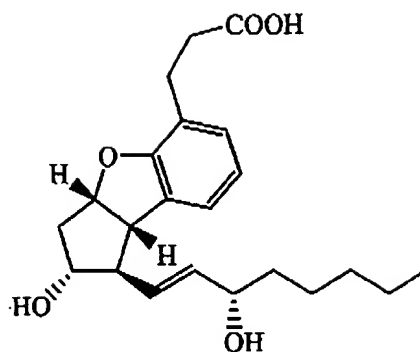
Compounds Tested

Compound 1 according to the present invention and Compound A which is in the scope of the cited U.S. Patent No. 5,508,303, represented by the following formulae, respectively, were tested:

#10  
JRP  
2/2/04



Compound 1



Compound A

### Materials and Methods

Blood collected from a healthy donor was centrifuged together with 3.8% sodium citrate solution (1/10 volume) as an anticoagulant to separate platelet-rich plasma (PRP) and platelet-poor plasma (PPP). To the PRP, Compound 1 or Compound A was added. One minute later, 10  $\mu$ M adenosine diphosphate (ADP) was added to induce platelet aggregation. The maximum aggregation rates were measured respectively, and the concentrations of Compound 1 and Compound A, at which the platelet aggregation was inhibited by 50% ( $IC_{50}$ ) was calculated.

### Results

The results are shown in Table 1 below. As can be seen from Table 1, the platelet aggregation-inhibiting activity of Compound 1 was much smaller than that of Compound A. Thus, bleeding or the like as a side effect caused by the excess inhibition of platelet aggregation is smaller with Compound 1 than with Compound A, so that Compound 1 is superior to Compound A as an agent for modulating growth or generation of hair.

Table 1

	$IC_{50}$ (nM)
Compound 1 (present invention)	410
Compound A (prior art)	7.3

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

This 8th day of October, 2003

Hiroshi Iwaguchi